

REMARKS

In the foregoing Preliminary Amendment independent Claim 34 has been revised merely for clarification purposes, whereas independent Claims 1, 22, and 35 are intended to stress clarify the inventive features of the present application so as to distinguish the claims from what is disclosed in the principal rejecting reference, namely the cited Ohmori patent.

Particularly, as now presented the present invention relates to a method by which a video sequence is able to be edited based upon a template. In particular, the present invention is entirely computer implemented and uses the identified template. Amendments are made to the independent claims to make clear that the template, which affords the various editing rules, is identified and that the template is then used to process the extracted duration data to form the "editing instruction data". In this fashion, the template can be applied in many instances to many different video sequences as selected by a user.

This feature of the present invention is one that draws a clear contrast from the disclosure of the Ohmori patent which involves a one-off, manual generation of an edited list. That is, there is a significant difference between the "editing instruction data" of the present invention and the "edited list" of the Ohmori patent. In Ohmori, the "edited list" (see column 5, line 21) is a fixed set of time periods within the entire video sequence that identifies portions of "program material" and which may be used to exclude "advertisement" material. In contrast, the edit instruction data of the present invention comprises data whereby individual clips within the sequence may be edited according to

the editing rules and incorporating the plurality of predetermined edited segment durations.

The edited segment durations are derived from the predetermined template expressly claimed in the amended claims. Ohmori includes no disclosure or suggestion of predetermined edited segment durations being derived from a template.

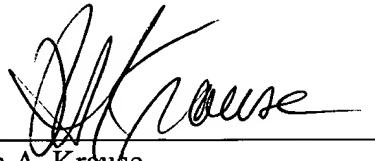
Also, in Ohmori, any duration of the output edited sequence is one that is derived from an analysis of the source video sequence. While it may be that certain durations are fixed based upon known durations of television commercials, in Ohmori, the edited output sequence is formed without the advertisements/commercials, and therefore without any predetermined durations. More specifically, Ohmori does not apply any template to the original video sequence but rather seeks to identify particular events within the sequence and then to match those events with known advertisement/commercial durations. Ohmori has no capacity, for example, to accommodate advertisements that are beyond or vary from the 15, 30, and 60 second intervals mentioned.

In addition, Applicant notes, with respect to the comments set forth in the Advisory Action, that no weight appears to have been given to specific amendments that were made to the independent Claims 1, 22, and, 35 in the previous Amendment regarding the inclusion of the feature of "each output edited segment having a duration corresponding to one of the plurality of predetermined edited segment durations." This feature, and particularly the underlined portion noted above, is not described nor suggested by the cited Ohmori patent.

For these various reasons it is believed that all of the claims are now allowable, wherefore the issuance of a Notice of Allowance is solicited.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



John A. Krause
Attorney for Applicant
Registration No. 24,613

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 569372v1